IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL WRIT PETITION NO.262 OF 2006

Mr.Fazlur Rehman Mohammed Husain ...Petitioner
Vs.
The State of Maharashtra ...Respondent

Mr.Prakash Naik Adv. for Petitioner
Dr. F.R.Shaikh, A.P.P. for State

CORAM: B.H.MARLAPALLE & ROSHAN DALVI, JJ.
DATED: 1ST MARCH, 2006

P.C.

1. We have heard learned Counsel for the Petitioner who is the accused in Criminal Case No.44/P/2003 pending before the 32nd Court of Metropolitan Magistrate, Bandra. It is pointed out that the trial has already commenced and the oral depositions of witnesses have been recorded. Fresh witness summons were issued on 18th January 2006 or earlier thereto and the concerned witness is not traced. The police have submitted report before us aswell to State that the witness is not traceable. We have also noted that the statement under Section 313 of Cr.P.C. has also been recorded.

2. We therefore direct that the trial in Criminal Case No.44/P/2003 presently pending before the Court of the learned Metropolitan Magistrate, 32nd Court, Bandra be expedited and completed within a period of 6

months from today.

3. Petition is disposed of i terms of the above directions.

(ROSHAN DALVI, J.) (B.H.MARLAPALLE, J.)